

(3/22/2010) Maria NEYRA - RE: RE: US v. Levis

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**From:** "Stellmach, William (USANYS)" <William.Stellmach@usdoj.gov>  
**To:** "Maria NEYRA" <MNEYRA@royblack.com>  
**CC:** "Braun, Daniel (USANYS)" <Daniel.Braun@usdoj.gov>, "Anthony, Jason" <Ant...  
**Date:** 8/17/2009 12:59 PM  
**Subject:** RE: RE: US v. Levis  
**Attachments:** proposed protective order.pdf

I'm forwarding a protective order that incorporates the changes discussed.

-----Original Message-----

From: Maria NEYRA [mailto:MNEYRA@royblack.com]  
 Sent: Monday, August 17, 2009 12:22 PM  
 To: Stellmach, William (USANYS)  
 Subject: Fwd: RE: US v. Levis

Bill: One of the protective order exchanges between Joan and I back in Sept. 2008 but the proposed protective order that I received in May 2009 still read identical to the one back in May 2008 and hence my e-mail to your office. I will scan both proposed orders to you for ease of reference.

Maria Neyra, Esq.  
 Black, Srebnick, Kornspan & Stumpf, P.A.  
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 Miami, FL 33131  
 Tel: (305)371-6421 ext. 362  
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>>> Maria NEYRA 9/12/2008 12:47 PM >>>

Sure Joan

Scott Srebnick as co-counsel for our client

The Greenberg Traurig joint defense counsel are Jesus Cuza, Cory Eichorn, John McManus and Jeff Skarloff (although he's only involved ministerially - meaning locally to hand deliver docs.).

Hope this helps.

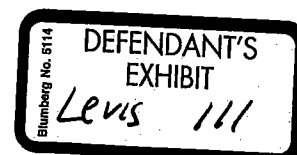
>>> "Loughnane, Joan (USANYS)" <Joan.Loughnane@usdoj.gov> 9/12/2008 12:26 PM >>>

Maria,

I am trying to finalize the protective order that you and Diane were discussing, so that we can provide you with the Fed materials. From the correspondence, I understand that you wanted Scott Srebnick, as well as someone from Greenberg Traurig, added to paragraph 2c. Is that correct? Who is the attorney from Greenberg Traurig that you would like to include in the order? And finally, is Scott Srebnick being added as joint defense counsel (as I understand Greenberg Traurig is), or as an attorney for your client?

Thanks for your help with this,

Joan



(3/22/2010) Maria NEYRA - RE: RE: US v. Levis

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-----Original Message-----

From: Maria NEYRA [mailto:MNEYRA@royblack.com]

Sent: Friday, September 12, 2008 9:43 AM

To: Jason Anthony; Garcia, Christopher (USANYS); Gujarati, Diane (USANYS); Loughnane, Joan (USANYS)

Subject: US v. Levis

Good morning:

I had a dr's appt. yesterday afternoon and learned that John Beale called our office. Mr. Beale advised that he was taking the status conf. off calendar for Monday but resetting a motions hearing for Sept. 18th. He advised that the judge is open all day but that they take lunch between 1PM-2:15PM. We prefer to have the hearing after lunch so that we can fly in that same day during the early morning hours. Mr. Beale wanted us to call chambers back with an agreed upon time. I don't know if you guys have heard from him directly. But, I know Christopher has been apparently tied. up. If you could kindly advise so that we can get back to Judge Griesa.

Thanks everyone.

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

----- x  
UNITED STATES OF AMERICA

-v-

MARIO S. LEVIS,  
a/k/a "Sammy Levis,"

Defendant.

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:

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PROTECTIVE ORDER  
ON CONSENT

08 Cr. 181 (TPG)

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Upon the application of the United States of America, Preet Bharara, United States Attorney, by Daniel A. Braun, William J. Stellmach, Assistant United States Attorneys, and Jason M. Anthony, Special Assistant United States Attorney, and with the consent of the defendant, MARIO S. LEVIS, a/k/a "Sammy Levis," by and with the consent of his attorneys, Roy Black, Esq., Howard Srebnick, Esq., Maria Neyra, Esq., Scott Srebnick, Esq., Francisco Rebollo, Esq., and Greenberg Traurig P.A.

IT IS HEREBY ORDERED:

1. Documents provided to the United States Attorney's Office for the Southern District of New York by the Board of Governors of the Federal Reserve System may be disclosed to the defendant by the Government pursuant to Fed. R. Crim. P. 16 and are deemed "confidential information."

2. Confidential information disclosed to the defendant or his counsel during the course of proceedings in this action:

a. Shall be used by the defendant and his attorneys only for purposes of this criminal action;

b. Shall not be disclosed in any form by the defendant or his attorneys except as set forth in paragraph 2(c)

below;

c. May be disclosed by the defendant or his attorneys only to the following persons (hereinafter "designated persons"): (i) all personnel employed full-time or part-time by the defendant's attorneys and their law firm; (ii) independent expert witnesses or advisors retained by the defendant or his attorneys in connection with this criminal action; (iii) transactional witnesses or their counsel, to the extent deemed necessary by defense counsel for trial preparation; and (iv) such other persons as hereafter may be authorized by the Court upon such motion by the defendant or his attorneys. Copies of documents containing confidential information may not be given to or remain in the custody of transactional witnesses.

3. The defendant and his attorneys shall provide a copy of this Order to the designated persons to whom they disclose confidential information pursuant to paragraph 2(c). Designated persons shall be subject to the terms of this Order.

4. All documents subject to this Protective Order must be returned to the United States Attorney's Office at such time as they are not needed in this action, at the end of the criminal proceedings, or upon Order of the Court, whichever occurs first.

5. The provisions of this Order shall not be construed as preventing the disclosure of any information to any Judge or Magistrate Judge of this Court for purposes of this action.

6. In the event any confidential information is included with, or in any way disclosed in, any pleading, motion or

other paper filed with the Court, such confidential information shall be filed under seal and kept under seal by the clerk until further order of the Court. Copies of confidential information served upon opposing counsel shall be placed in a sealed envelope labeled : "Confidential Information Subject to Protective Order."

7. The parties may use any confidential information at any hearing in this litigation and at trial, provided that the party seeking to use the confidential information gives notice to counsel for the Board of Governors of the Federal Reserve System (the "Board") ten (10) business days prior to such proposed use; except that, where ten business days' notice is not possible (either because the hearing is scheduled to occur in less than ten business days or because the need for the confidential document could not reasonably have been apparent sooner to the party seeking to use the document), counsel for the Board shall nonetheless be given reasonable notice sufficient to allow an opportunity to seek a protective order.

Dated: New York, New York  
August , 2009

SO ORDERED:

HONORABLE THOMAS P. GRIESA  
UNITED STATES DISTRICT JUDGE